

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

E.K. and S.K., minors, by and through their parent and next friend LINDSEY KEELEY; O.H., S.H., and H.H., minors, by and through their parent and next friend JESSICA HENNINGER; E.G., a minor, by and through his parent and next friend MEGAN JEBELES; E.Y. and C.Y., minors, by and through their parent and next friend ANNA YOUNG; L.K., L.K., and L.K., minors, by and through their parent and next friend ANNA KENKEL; and M.T., a minor, by and through her parent and next friend NATALIE TOLLEY,

Plaintiffs,

v.

DEPARTMENT OF DEFENSE
EDUCATION ACTIVITY; DR. BETH
SCHIAVINO-NARVAEZ, in her official
capacity as Director of the Department of
Defense Education Activity; and PETER
BRIAN HEGSETH, in his official capacity as
Secretary of Defense,

Defendants.

Case No. 1:25-cv-00637-PTG-IDD

Hon. Patricia Tolliver Giles

NOTICE OF MOTION FOR A PRELIMINARY INJUNCTION

Pursuant to Federal Rule of Civil Procedure 65, Plaintiffs hereby respectfully move the Court for a preliminary injunction restraining Defendants from removing library books and curricular materials from Department of Defense Education Activity (“DoDEA”) schools pursuant to Executive Orders (“EOs”) 14168, 14185, and 14190, and related guidance. Plaintiffs have

suffered irreparable harm as a result of Defendants' actions and will continue to suffer such harm absent preliminary injunctive relief. Specifically, Plaintiffs request that the Court:

- (1) bar Defendants from directing the removal of books based on the government's classifications of content and viewpoint as relating to "gender ideology" and "divisive concepts";
- (2) bar Defendants from directing the removal of curricula based on the government's classifications of content and viewpoint as relating to gender ideology and discriminatory equity ideology; and
- (3) reinstate these books and curricula to school library shelves and classrooms.

In support of this Motion, Plaintiffs submit several exhibits, including the declarations of Lindsey Keeley, parent and next friend of minor Plaintiffs E.K. and S.K.; Jessica Henninger, parent and next friend of minor Plaintiffs O.H., S.H., and H.H.; Anna Young, parent and next friend of minor Plaintiffs E.Y. and C.Y.; Anna Kenkel, parent and next friend of minor Plaintiffs L.K., L.K., and L.K.; and Natalie Tolley, parent and next friend of minor Plaintiff M.T. Plaintiffs also include a declaration to attach official government documents and communications.

Plaintiffs also submit a Memorandum in Support of Plaintiffs' Motion for a Preliminary Injunction that demonstrates that Plaintiffs are likely to prevail on the merits of their claims, a preliminary injunction is necessary to prevent further irreparable harm to Plaintiffs, the balance of harms weighs in Plaintiffs' favor, and a preliminary injunction serves the public interest.

Respectfully submitted,

Dated: May 7, 2025

/s/ Matthew Callahan

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Attorneys for Plaintiffs

* Motions for *pro hac vice* admission forthcoming

CERTIFICATE OF SERVICE

I hereby certify that on May 7, 2025, I electronically filed the foregoing Notice of Motion for a Preliminary Injunction with the Clerk of the Court using the CM/ECF system. I have arranged for the following, who have not yet entered an appearance in the case to be registered participants of the Electronic Case Filing System, to also be served by U.S. Mail:

Pamela Bondi, Attorney General
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Peter Brian Hegseth, Secretary of Defense
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/s/ Matthew Callahan
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